

obtained at the time supplies and services are furnished.

(d) *Sales of equipment not readily procurable on the open market.* Charges imposed for sales of apparatus and equipment manufactured by or in use in the Coast Guard which, in the opinion of the Commandant (FS), is not readily procurable in the open market, are subject to the following conditions:

(1) The apparatus or equipment has not been reported as excess to the General Services Administration (if so reported, requests to purchase will be submitted by the Commandant (FS) to the General Services Administration); and,

(2) The apparatus or equipment is not classified for security reasons or is not dangerous to the public health and safety; and,

(3) The authorized buyers of this apparatus or equipment are foreign, State, or municipal governments or governmental units thereof; parties required to maintain private aids to navigation; contractors engaged on public works; and in other cases in which, in the judgment of the Commandant (FS), the public interest may be served; and,

(4) The approved sales will be at prices determined by the Commandant (FS), which will include an overhead charge not to exceed 25 percent of acquisition cost.

(e) *Sales to and storage of non-Federal aircraft.* (1) Activities having the necessary supplies and facilities are authorized to furnish fuel, oil, equipment, supplies, mechanical services, temporary storage, or other assistance to any aircraft operated by State, municipal, or private enterprise in emergency cases. Complete engines, airplane wings, or other major items of equipment shall not be furnished without prior authority from the Commandant.

(2) Aircraft damaged to the extent that major repairs are required may be given emergency storage at the request of the pilot, provided the necessary facilities are available. No such aircraft will be given a major or minor overhaul. Damaged aircraft may be stored in its original damaged condition. If aircraft requires extensive repairs, such as would include the replacing of

major parts and such major parts cannot be made available or supplied within a reasonable length of time by the operator of such aircraft, then the aircraft must be removed from the Coast Guard reservation by the operator without delay.

(3) The Government will not assume any responsibility for any loss or damage incurred by such aircraft while on a Coast Guard reservation and the owner shall be required to remove the aircraft from the reservation at the earliest practicable date.

(4) Storage charges for such aircraft on a Coast Guard reservation shall be as follows:

(i) For the first 6 working days, no charge;

(ii) For each calendar day thereafter, \$3 for a single motor plane and \$5 for a dual or multiengine plane.

(5) In the absence of any information to the contrary regarding a particular item or material, the price at which the item is carried in stock, or on the Plant Property Record (book price) will be regarded as the fair market value.

(6) When materials or services or both materials and services are furnished an aircraft, a deposit equal to the estimated value of such services and materials as will be required shall be obtained in advance of the rendition of the services and issuance of the materials.

(7) The charges for mechanical services rendered (other than in connection with the arrival, refueling, and departure of airplanes) shall be an hourly charge for labor, with a minimum of 1 hour, which shall be the equivalent to the schedule of wage rates for civilian personnel for the district (i.e., machinists, helpers, etc.), regardless of whether the services are performed by enlisted or civilian personnel.

(Sec. 1107, 72 Stat. 798, as amended; sec. 641, 63 Stat. 547, as amended; sec. 1, 73 Stat. 357; 49 U.S.C. 1507; 14 U.S.C. 641(b), 654)

[CGFR 67-13, 32 FR 11211, Aug. 2, 1967, as amended by USCG-1998-3799, 63 FR 35525, June 30, 1998]

§ 1.26-20 Sales to eligible foreign governments.

(a) *Policy of United States.* The Congressional policy is set forth in Title

§ 1.26–25

22, U.S. Code, section 2351. The Executive Order No. 10973 dated November 3, 1961 (26 FR 10469), describes the administration of foreign assistance and related functions.

(b) *Diplomatic transactions.* Sales of Coast Guard material under reimbursable aid will be by direction of the Commandant (FS) and as approved by the Office of the Chief of Naval Operations. Reimbursable aid transactions are diplomatic transactions and are negotiated primarily between the respective foreign military attaché or other representatives of their embassy in Washington, DC, and the Office of the Chief of Naval Operations. Prices will be based on material cost only and estimates will not include packing, crating, and handling or transportation costs. Under reimbursable aid, transportation costs are borne by the purchasing country and shipments are usually accomplished on collect commercial bills of lading.

§ 1.26–25 Payment of charges.

(a) The payment of charges shall be by postal money order or check payable to “U.S. Coast Guard,” and given or sent to the office of the Coast Guard performing the service or furnishing the supplies, equipment, etc.

PART 2—JURISDICTION

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AUTHORITY: 14 U.S.C. 633; 33 U.S.C. 1222; Pub. L. 89–670, 80 Stat. 931, 49 U.S.C. 108; Pub. L. 107–296, 116 Stat. 2135, 2249, 6 U.S.C. 101 note and 468; Department of Homeland Security Delegation No. 0170.1.

SOURCE: USCG–2001–9044, 68 FR 42598, July 18, 2003, unless otherwise noted.

Subpart A—General

§ 2.1 Purpose.

(a) The purpose of this part is to define terms the Coast Guard uses in regulations, policies, and procedures, to determine whether it has jurisdiction on certain waters in cases where specific jurisdictional definitions are not otherwise provided.

(b) Figure 2.1 is a visual aid to assist you in understanding this part.